



FORM SB/64

A4

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**Docket Number
CE09569R

First Named Inventor: Proctor et al. Group Art Unit: 2641
Application Number: 09/767,522 Examiner: Unknown
Filed: 01/23/2001
Title: METHOD AND APPARATUS FOR REDUCING RATE DETERMINATION ERRORS AND THEIR ARTIFACTS

Attention: Mail Stop Petition
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Note: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee—required for all utility and plant applications filed before June 8, 1995, and for all design applications; and
- (4) Adequate showing of the cause of unavoidable delay.

1. Petition fee

Small entity – fee \$ _____ (37 CFR 1.17(l)). Applicant claims small entity status. See 37 CFR 1.27.

Other than small entity – fee \$ 1300.00

2. Reply and/or fee

- A. The reply and/or fee to the above-noted Office action in the form of Response to File Corrected Application Papers (identify type of reply)

has been filed previously on _____

is enclosed herewith

- B. The issue fee of \$ _____

has been paid previously on _____

is enclosed herewith.

Page 1 of 2

PTO/SB/64 (10-00)

05/14/2003 AWONDAF1 00000026 502117 09767522

01 FC:1453 1300.00 CH

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Adjustment date: 05/23/2003 CKHLOK
05/14/2003 AWONDAF1 00000053 502117 09767522
01 FC:1051 130.00 CR

MAY 14 2003

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3. Terminal Disclaimer with disclaimer fee
- Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ For a small entity or
\$ _____ For other than a small entity) disclaiming the required period of time is enclosed herewith
(See PTO/SB/63)
4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.1379b) was unintentional (MPEP 711.03(c)(iii)(C) and (D))]
5. The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 50-2117

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

May 12, 2003

Date

847-576-5562

Telephone Number

Signature

Jeffrey K. Jacobs

Typed or printed name

Motorola Inc.



22917

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Customer Number

MAY 14 2003

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Enclosures:

- Fee Payment
- Reply
- Terminal Disclaimer Form
- Additional sheets containing statements establishing unintentional delay

CERTIFICATE OF MAILING OR TRANSMISSION (37 CFR 1.8(a))

I hereby certify that this correspondence is being:

- Deposited with the United States Postal Service on the date shown below with sufficient postage as first-class Mail in an envelope addressed to:
- Transmitted by facsimile on the date shown below to the United States Patent and Trademark office at (703) 308-6916.
- Deposited with the United States Postal Service on the date shown below with sufficient postage as Express Mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450: Express Mail Label No. EU940604755US

May 12, 2003

Date

Signature

Tanya Scheuer

Typed or printed name of person signing certificate